

93
cont
--15. (New) The digital transmission system of claim 13, wherein the digital signal is serialized according to a protocol including a part for starting protocol data, a part for an address of an intended recipient, a part for digital signal or multiplexed digital signal, and a part for ending protocol data.--

--16. (New) The digital transmission system of claim 15, wherein the protocol further includes part for control data for the loudspeaker.--

--17. (New) The digital transmission system of claim 16, wherein the protocol further includes a part for an encryption key for use in decrypting the digital data.--

REMARKS

In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested. By this Amendment, claims 1-9 have been cancelled and new claims 10-17 have been added. Thus, claims 10-17 are pending for further examination.

Appropriate heading have been added to the specification, as requested by the Examiner. A proposed drawing correction has also been filed herewith in order to overcome the objection thereto. Approval of the proposed drawing correction is respectfully requested.

Claim 1 was rejected under 35 USC 103(a) as being obvious over Lee in view of Schotz. Applicant has cancelled original claim 1 and added new independent claim 10. New claim 10 is believed to more clearly and patentably distinguish the prior art or

record, whether considered alone or in combination. Thus, reconsideration and withdrawal of this rejection are respectfully requested.

The combined teachings of Lee and Schotz fail to teach or suggest the specific combination of elements set forth in new independent claim 10. While Schotz '570 (not '024) is incorporated by reference in Lee, that disclosure is only in connection with the "transfer process" mentioned at column 2, line 46 of Lee. Lee teaches that the transfer process of Schotz can be used for the amplification of the two (left and right) analog signals and compression of the range (amplitude) of the analog signal, since a limited amplitude or range results in a limited frequency band. In accordance with this aspect of the teachings of Lee, the two analog signals are then transmitted in parallel, on two respective FM carriers. This does not teach or suggest the specific features set forth in new claim 10. Moreover, Schotz '024 does not make up for the deficiencies of Lee. While Schotz '024 does teach the use of quadrature phase shift-keying from transmitting digital data to loudspeakers, it teaches to transmit the data through air using antennas. Schotz '024 does not teach or suggest using an AC power network for the transmission, much less using the specific elements set forth in new claim 10.

In view of the above, Applicant respectfully submits that Lee and Schotz '024 fail to establish a *prima facie* case of obviousness for new claim 10, or any of the new dependent claims. Thus, without the improper use of hindsight reconstruction, using the teachings of the instant application, the claims are not rendered obvious under Section 103.

NATHAN

Serial No. **09/161,584**

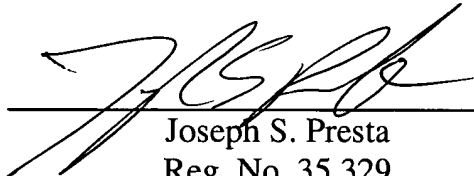
In view of the foregoing amendments and remarks, Applicant believes that this application is now in condition for allowance. Thus, withdrawal of the rejections and passage of this case to issuance at an early date are earnestly solicited.

Should the Examiner have any questions regarding this response, or believe that any further issues need to be addressed prior to allowance, the Examiner is invited to call the undersigned attorney at the phone number below.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


Joseph S. Presta
Reg. No. 35,329

JSP:mg
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100